

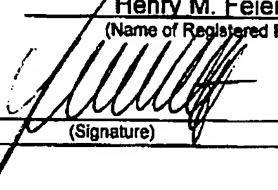
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No.: DANZ-4

In re PATENT Application of: MIRKO DANZ et al.)) Examiner: Dalencourt Yves
Appl. No.: 10/597,958)) Group Art Unit: 2457
Filed: August 14, 2006))
For: METHOD FOR CONFIGURING AN AUTOMATION COMPONENT OF AN AUTOMATION SYSTEM, AND CORRESPONDING AUTOMATION SYSTEM)) Confirmation No.: 8432

PETITION UNDER 37 C.F.R. §1.81

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATION OF EFS-WEB TRANSMISSION	
I hereby certify that this paper is being EFS-Web transmitted to the U.S. Patent and Trademark Office, Alexandria VA 22313-1450, on <u>March 25, 2009</u> .	
Date	
<u>Henry M. Feiereisen</u> (Name of Registered Representative)	
	
(Signature)	<u>3-25-2009</u> (Date of Signature)

SIR:

Applicant hereby respectfully petitions the Director to restart the period for response to the Office Action, dated October 7, 2008.

Applicant requests that the attached documentation be kept confidential.

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 06-0502.

STATEMENT OF FACTS:

An Office Action was issued with a mailing date of October 7, 2008. The undersigned states that the Office Action was never received at the correspondence address of record and that a search of the records including the file jacket and the application contents indicates that the Office Action was not received.

The following system has been established in the Office of the undersigned for recording an Office Action. When an Office Action is received at the correspondence address of record, a check list (blank copy enclosed, marked "A") together with the involved file jacket is attached to the Office Action. The secretary fills out the check list, item by item, and signs and dates the check list, when finished.

Item 13) of the check list relates to a calendar "Wiedervorlage" which involves a reminder system to retrieve a file periodically. A calendar sheet of this "Wiedervorlage" calendar, dated March 2009 is further submitted (Appendix marked "B") to show the entry on March 20, 2009 of "DANZ-4" which is the practitioner's docket number for the above-identified patent application.

In view of the March 20, 2009 entry, the file jacket was retrieved and the PAIR system has been checked. At that time, the issuance of the Office Action has been discovered.

Applicant submits herewith the following documents as further proof of non-receipt of the Office Action:

- 1) Copy of the master docket report (Appendix marked "C") showing all replies docketed for the date of January 7, 2009, when a response was due to the Office Action.
- 2) Excerpt of practitioner's "Incoming Mail Log" (Appendix marked "D") for the time period beginning October 6, 2008 to October 16, 2008.
- 3) Copy of record card (Appendix marked "E") in database before discovery of the Office Action.
- 4) Copy of record card (Appendix marked "F") in database after discovery of the Office Action.

The undersigned states that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Restart of the period for response to the Office Action, dated October 7, 2008 is respectfully requested.

Respectfully submitted,

By:


Henry M. Feiereisen
Agent for Applicant
Reg. No. 31,084

Date: March 25, 2009
708 Third Avenue
Suite 1501
New York, N.Y. 10017
(212) 244-5500
HMF:af

A

CHECK LIST WHEN RECEIVING AN OFFICE ACTION:

- 1) [] Check Serial No. and check if all references are included
- 2) [] Check if Form PTO-1449 is enclosed with initial of the examiner, if applicable
- 3) [] Make copy of entire Office Action
- 4) [] Stamp cover page of Office Action and complete data
- 5) [] Note deadline(s) in main calendar, sidekick and for Henry (HMF) and for Ursula (UBD)
- 6) [] Note final deadline in sidekick and for Henry (only final Office Action)
- 7) [] Complete database
- 8) [] Check who works on case Name: HMF [] UBD [] WS []
- 9) [] Prepare and mail report letter
- 10) [] Check status
- 11) [] Note mailing date of Office Action on folder
- 12) [] Note Examiner's name and telephone no. on folder
- 13) [] Note in calendar "Wiedervorlage" a date two weeks before deadline mit Ausrufezeichen
- 14) [] Note in disbursement sheet
- 15) [] Place folder with Office Action on top at the bottom of stack of like folder in HMF room or UBD room or WS pile

Date: _____

Completed by: _____

MARCH
2009

March 2009							April 2009							May 2009							June 2009							
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	
9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	1	2	3	4		
17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	1	2	3	4	5	6	7	8	9	10	11	12	13	14
25	26	27	28	29	30	31	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
30	31	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27

WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
063200 4 HANS-ERCO! (OK) 1 TAG feest) X (Report)	064001 5 HOPPE-23 (Leave off) ✓ PTGAGENHAM-3 (Report) ✓ KIRCHNER is (OK) VOLAPTER 4! (OK) SE101-2 (2 w. vor ROA) PACKEP-2 (~) ✓	065300 6 B.C. ARHEIT (2 w. vor ROA) ✓ P/N YRNER (Comments)	065300 7
070000 11 HÖFER-5 1.0.0.0 ✓ FEGER 1.0 ✓ SCHATTNER 3 (Comments) DABERS 4 (OK) ✓ HÜLFER-4 (OK)	071704 12 RICHTER-21/1.0.0.0 ✓ WIDRICHTER-13 (Report) ✓ BLAUN-9 0.0 ✓ HÄNDLING-5 (2 w. vor Prop day)	072201 13 HILDE-3 1.0.0.0 ✓ HÄNDWERKER ✓ CHRISTIAN-1 (OK) SCHÄFER-5 (Report) ✓	072201 14
071708 18 LYSCHNER 2.0.0.0 ✓ HÜLFER-2 ✓ COMBANK ✓	072207 19 SCHATTNER 4.0.0.0 ✓ HÖFLIN-2 1.0.0.0 ✓ HÜLFER-2 ✓ HÄNIG-2 BEUCHTHOLZ REICHTHOFER-12 BLAUN-12! (Report day)	072206 20 Spring begins HÜLFER-2 ✓ SCHATTNER, 6 (OK) DANZ-4	072206 21
084201 25 EWESEN UND ODE 1.0.0.0 SCHÄFER-4 1.0.0.0 KÖCHNER 5	085200 26 AGUS-3 1.0.0.0 HÄNIG-3 ✓ HÜLFER-4 3 (Report day) HÄNDWERKER-4 (OK) GROßINGER-2 (ews)	085200 27 AGUSTA GRUBER-3! (Grade) HÄNIG-4 3 (Report day) HÄNDWERKER-4 (OK) GROßIGER-4 (OK)	085200 28

7

**Wednesday
January 2009**

December 2008						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

January 2009						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

February 2009						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28

To Do

HENRY M. FEIEREISEN

D

INCOMING MAIL

10/6/08	PTO	TH/MULTIFIX	REQUEST FOR RECON-N DENIED
		2XTH/LDS 20R0DS	Not of accept.
		TH/DOM	Not of abandon.
		BUEDDE-3	Not of accept.
		SCHREPFER-2	~
		SCHUNK-6	~
		TH/VULVANT INS.	Because exp. N 8d not of doo
		DOZSA-2	Not of allow.
		HERR-2	Not of publ.
		HENNEKES	FR
		BEHLING-2	~
		STOLAROV	Issue Not.
		DEYLITZ	~
		BRUNE	OA
		STEINSCHORN	~
		NISSL-2	~
		BERGHOFER	~
	Westphal	—	zahlung Ankündigung
	Siemens	—	Account info
	Krauss-Maffei	GRIMM-8	Re: case
	FETHERSTONHAUGH	NURNBERGER/CAW	Re: case.
10/7/08	LÖSENBECK	VENNEWALD	
10/8/08	H.PH	—	Zahlungsanzeige
	König	OBERHOFF	Re: case
PTO	PTO	WENSVEEN	OA
		BUCHHOLZ-3	~
		HUTH-4	~

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INCOMING MAIL

10/8/08	PTO	TH/CRYSTAL NET	not of publ.
		TH/VIKING'S QUEST	~
		TH/BEN GALTIGERS	~
		TH/SATISFACTION	~
		MECKLER	N FST.
		ROITMER-6	~
		BRINKMANN	~
		AUERBACH	Not of mic. parts.
		NALDERS	No ~
	Siemens	HOPPE-1P	Re: case
	~	VOLLMER-16	~
10/9/08	MPM	SIEVERDING-3	New case
	Westphal	--	Zahlung
	PTO	FRIESE	N. F. Rent.
		TH/BHT	OA
		TH/Sport Eyes	~
		TH/IMAGIC WEAVE	~
		RUCKSER-2	Cert.
		KLAPPRIOTH	~
		SPHIRLING-9	Not of allow. 2 fee due
		WIHBERGER-2	~
		YESKE	OA
	Siemens	MENNART	Power of Attorn.
	~	MENZ	New case
10/10/08	KÖNIG	PIPETERSEN-9	Re: case
	~	PIPETERSEN-2	~

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INCOMING MAIL

10/10/08	PTO	KIRCHHEIMER-21 Upd. FR
		VENNEWALD ~
		ZINNEMANN-3 Not of accept
		NULLER-36 OA
		ROHS-13/12/11 ~
		TH/ID HACS att.
		TH/Torhammer ~
10/14/08	Bockermann	GOSMANN-2 Re: case
	Arab Emir. Emb.	—
	Heisner & H.	PRASSER Re. case
	WIPO	HOPE-17 PCT
	Naiwald	Des/AROL Re. case
	~	Des/Wischniowski ~
	Bockermann	WIBBEKE ~
	MPH	EICHLSEDER-4 ~
	~	A XOS ~
	~	EICHLSEDER-8/4
	PTO	OLDE OA
		TROSTER ~
		BURKLE-3 ~
		NEUSSNER ~
		LANGE ~
		TH/ANIGODE 14 FORTUNA Kartchen
		TH/LEGEND OF THE AZTECS ~
		AROL Resp. to Rule 312
		TH/ROYAL QUALITY GOOD MAN Petit. to direkt.
		GRUENER Not of miss. req.

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INCOMING MAIL

10/14/08	PTO	TH/RAPID STA	Exm's amendm.
		TH/NO WORK, JUST FUN.W	~
		TH/RANDY RUN	~
		RESEL	Not of publ.
		REICHHART-8	~
		~ - 9	~
		KLOTZ-2	Advisory Action
		FIEDLER-2	FR
		SCHEIBNER	Not of publ.
		DIRNFIELDNER-3	Issue not on
		GROTHAUS	H. Fee St.
		WINBERGER	Not of allow.
		DOZ SA	~
10-15-08	PTO	SCHAUERTE	Not of abandonm.
	Bockermann	HANDING-3	Prior. beleg.
	Siemens	—	Negativliste x3
	MPM	SCHÜPPSTUHL	Neu
	Siemens	S/ETER BÖ	Re: case
	~	KNORR-6	~
	~	BENESCH-2	Neu
	~	SOPP	~
10/16/08	PTO	TH/HYSTICREALM	Kartchen
		EWALD	Not of publ.
		WIBBEKE	Not of mis. p.
		RIEPE-3	Not of mis. r.
		DORNHOFER	H. Fee
		WECKE-8	~

INVENTORS	Mikko DANZ; Johannes EXTRA; Peter WAGNER		
ASSIGNEE	SIEMENS AG (2003P18646W0US)		
CLIENT	Siemens AG (Roland Bitner)		
METHOD FOR CONFIGURING AN AUTOMATION COMPONENT OF AN AUTOMATION SYSTEM, AND CORRESPONDING PROCESS			
Verfahren zum Konfigurieren einer Automatisierungskomponente eines Automatisierungssystems u. entsprechendes Aut			
TYPE OF APPLICATION	PCT		
PRIORITY DATE	2004-07-16		
COUNTRY	Germany		
FILING DATE	2005-08-14		
PATENT NUMBER	10 2004 007 231.0 PCT/EP2005/00366		
FIENGIN NUMBER	10/597,958		
DATE OF PAYMENT			
DATE OF PAYMENT			
DATE OF PAYMENT			
EXAMINER	DANZ-4		
DOCKETING			
SCO	1		
CURRENT APPLICATION STATUS	Awaiting OA		

INVENTORS	Mitko DANZ, Johannes EXTRA; Peter WAGNER		
ASSIGNEE	SIEMENS AG (2003P18646W0US)		
CLIENT	Siemens AG (Roland Bitner)		
METHOD FOR CONFIGURING AN AUTOMATION COMPONENT OF AN AUTOMATION SYSTEM, AND CORRESPONDING COMPUTER PROGRAM PRODUCT Verfahren zum Konfigurieren einer Automatisierungskomponente eines Automatisierungssystems u. entsprechendes Aut.			
TYPE OF APPLICATION	PCT		
PRIORITY DATE	2-13-04		
COUNTRY	Germany		
FILING DATE	08-14-06		
PATENT NUMBER	10/597,958		
DATE OF PAYMENT			
2. DATE OF PAYMENT			
3. DATE OF PAYMENT			
CURRENT APPL. STATUS Resp. OA due: 04-07-08, 3mx (last deadline)			
OWNER	Yves Dalencourt 571-272-3998		
DOCKET NO.		DANZ-4	
Save		<input type="checkbox"/> <input type="checkbox"/>	